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HARV. L. REV. 728. A *cestui que trust*, however, often has no right to the possession of the *res*; and moreover the purpose of a trust is to relieve the beneficiary of all duties. The principal case properly protects the *cestui* in his reliance upon the trustee.

CARRIERS — RATES — RECOVERY OF BY CARRIER. — In 1907 the legislature prescribed maximum rates for the carriage of coal. The carriers refused to comply with the act, and the state brought an action to enjoin its continued violation. An injunction was issued and affirmed without prejudice by the United States Supreme Court in March, 1910. After a period of experimentation the carrier reopened the case, and the injunction was dissolved by the United States Supreme Court in June, 1915. The carrier now seeks to recover from the shipper the difference between the statutory rate and an alleged reasonable rate for shipments made between the dates of the first and second decree of the United States Supreme Court. *Held*, that carrier could not recover. *Minneapolis, St. P. & S. S. M. Ry. Co. v. Washburn L. C. Co.*, 168 N. W. 684 (N. D.).

For a discussion of the principles involved see NOTES, page 428.

CONFLICT OF LAWS — JURISDICTION FOR DIVORCE — DOMICILE IN EXTRATERRITORIAL COMMUNITY. — The husband's domicile of origin was England, but since marriage the spouses had resided in the British Protectorate of Egypt with intent to make it their permanent home. On the wife's petition for divorce in England, *held* that the husband had acquired a domicile of choice in Egypt, and that the English court had no jurisdiction to entertain the proceeding. *Casdagli v. Casdagli*, 146 L. T. J. 3 (1918).

During the rule of the East India Company in India, the English courts held that a person of British nationality in the service of the company could acquire an Anglo-Indian domicile. *Bruce v. Bruce*, 2 B. & P. 229, note; *Forbes v. Forbes*, 23 L. J. (Ch.) N. S. 724; *Hepburn v. Skervig*, 9 W. R. 764. The doctrine was extended to cases of persons who went to India not in the service of the company but on private business of their own. *Attorney General v. Fitzgerald*, 25 L. J. (Ch.) N. S. 743; *Allardice v. Onslow*, 33 L. J. (Ch.) N. S. 434. But the cases of Anglo-Indian domicile were later held to be anomalous. See *Jopp v. Wood*, 34 L. J. (Ch.) N. S. 212, 219; *Ex parte Cunningham*, 13 Q. B. D. 418, 425; *DICEY, DOMICIL*, 140, 141, 337. Accordingly, until the decision in the principal case, the English doctrine has been that a British citizen could not acquire a domicile in a foreign country which granted extraterritorial privileges. *In re Tootal's Trusts*, 23 Ch. D. 532; *Abd-ul-Messih v. Farra*, 13 A. C. 431. Cf. *The Derfflinger*, 1 B. & C. P. C. 386; *The Lut-zow*, 1 B. & C. P. C. 528. In breaking away from this doctrine, the court in the principal case is to be commended. Given an abandonment of the domicile of origin, the selection of a new place of residence, and the *animus manendi*, it would seem immaterial that the community in question does not possess the sovereign territorial power. *In re Allen's Will*, U. S. COURT FOR CHINA, SHANGHAI TERM, 1907, PAMPHLET; *Mather v. Cunningham*, 105 Me. 326, 74 Atl. 809. See PIGGOTT, EX-TERRITORIALITY, 1907 ed., 224-26; JACOBS, DOMICIL, § 361. Accordingly, in the principal case, the husband acquired an Egyptian domicile and became subject to that part of the Egyptian law which under the Protectorate was applicable to British subjects. See HALL, FOREIGN JURISDICTION OF THE BRITISH CROWN, 185-86; WESTLAKE, PRIVATE INTERNATIONAL LAW, 5 ed., 345-46; HUBERICH, DOMICILE OF PRIVILEGED FOREIGNERS, 24 L. QUART. REV. 448. Since the husband had lost his English domicile, the English court had no jurisdiction to grant the wife's petition for divorce. *Le Mesurier v. Le Mesurier*, 1895 A. C. 517; *Bater v. Bater*, [1906] P. 209. See 26 HARV. L. REV. 447.